IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

WP(C).No. 5346 of 2007(J)

PETITIONER:

C.MADHU, AMBADY,
CHIRAKKARA THAZHAM P.O.,
KOLLAM DISTRICT.

BY ADV. SRI.P.SIVARAJ

RESPONDENTS:
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1. CIRCLE INSPECTOR OF POLICE,
PARAVOOR, KOLLAM.

2. SUB INSPECTOR OF POLICE,
PARIPPALLY, KOLLAM DISTRICT.

3. BHOOTHAKULAM GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY,
BHOOTHAKULAM, KOLLAM TALUK,
KOLLAM DISTRICT.

4. SADASIVAN, SK MANDIRAM,
PUTHENKULAM, BHOOTHAKULAM VILLAGE,
KOLLAM DISTRICT.

5. REJENDRAN PILLAI, ULLANVILA VEEDU,
CHIRAKKARA P.O., CHIRAKKARA,
KOLLAM DISTRICT.

6. MOHANAN PILLAI, MUKKATHUKUNNU VEEDU,
BHOOTHAKKULAM, KOLLAM DISTRICT.

7. THE GEOLIGIST,
CIVIL STATION, KOLLAM.

8. THE DISTRICT COLLECTOR,
KOLLAM.

BY ADV. SRI.B.SURESH KUMAR
SRI.V.VENUGOPALAN NAIR FOR R4 TO R6
GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

Ext.P1 True copy of permit

Ext.P2: True copy of injunction order dated 5-1-2007 issued by the Court of Munsiff Magistrate, Paravur

Ext.P3: True copy of order issued by the Village Officer Bhoothkulam dated 9-2-2007

Ext.P4: True copy of complaint dated 14-2-2007 of the petitioner'

Ext.P5: True copy of receipt dated 14-2-2007 issued from the Parippally Police Station

RESPONDENT'S EXHIBITS

Ext.R4(a): True copy of the Commissioner's report in O.S. 2/2007 of Hon'ble Munsiff's Court. Paravur

Ext.R4(b) True copy of the treatment report of the 4th respondent

Ext.R4(c) : True copy of the treatment report of the wife of the 4th respondent

Ext.R4(d): True copy of the mass petition submitted by the general public dated 15-2-2005 before the Pollution Control Board

Ext.R4(e): True copy of the mass representation dated 15-2-2007

// True copy//

J.B.KOSHY & T.R.RAMACHANDRAN NAIR ,JJ

W.P(C) No. 5346 0f 2007

Dated this the 21st day of February 2007

JUDGMENT

Koshy.J

This is a petition for police protection for conducting laterite quarrying operation.It is contended by respondent Nos 4 to 6 is that they are cardiac patients. According to them the petitioner is violating the permit conditions and no valid license was obtained from the local bodies Police shall verify whether the petitioner is complying with the conditions of the permit and he obtained valid license from the statutory authorities or local bodies. If he got all the required permissions and licenses and the petitioner is complying with all the conditions of the permits, police should give adequate protection provided that there is no prohibitory orders are issued by the Civil Court or Statutory Authorities. Rights of respondents Nos 4 to 6 to approach the Statutory Authority is not affected by this Judgment. This writ petition is disposed of accordingly

J.B.KOSHY JUDGE

T.R.RAMACHANDRAN NAIR ,JUDGE

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